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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE WESTERN DISTRICT OF WASHINGTON**
7 **AT TACOMA**

8 STACIE LEE AND JOHN LEE, Washington
9 residents,

10 Plaintiffs,

11 vs.

12 WEBB ROAD MAINTENANCE GROUP, a
13 Washington Limited Liability Company, and
14 WILLIAM MACARAS,

15 Defendants.

NO. 3:19-cv-05889-RJB

**JOINT STIPULATED MOTION TO
EXTEND CURRENT DEADLINES;
[PROPOSED] ORDER**

Noted for Consideration May 28, 2021

16 Pursuant to Fed. R. Civ. P. 16(b)(4), Plaintiffs Stacie and John Lee, and Defendants
17 Webb Road Maintenance Group and William Macaras (collectively, “Parties”), by and through
18 their respective undersigned attorneys, hereby move on a stipulated and agreed basis to extend
19 the case schedule deadlines in this matter. In support of the Stipulated Motion, the Parties jointly
20 state as follows:

21 The Parties respectfully request that this Court extend all current deadlines 60 days in this
22 case. The Parties’ proposed modified schedule, and a brief discussion of the rationale for this
23 request, are below.

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26 JOINT STIPULATED MOTION TO EXTEND
CURRENT DEADLINES; [PROPOSED]
ORDER - 1

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4115 Roosevelt Way NE, Suite B
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1 By modifying a case schedule to reflect a later deadline to conduct discovery, the parties
2 will have the opportunity to conduct more in-depth investigation and further evaluate the merits
3 of the case.

4 Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure, “A schedule may be
5 modified only for good cause and with the judge’s consent.” Good cause emphasizes the
6 diligence of the party seeking to modify the pretrial scheduling order. *Johnson v. Mammoth*
7 *Recreations, Inc.* 975 F.2d 604, 607-608 (9th Cir. 1992). Parties must “diligently attempt to
8 adhere to that schedule throughout the subsequent course of the litigation.” *Jackson v. Laureate,*
9 *Inc.*, 186 F.R.D. 605, 607 (E.D. Cal. 1999); see *Marcum v. Zimmer*, 163 F.R.D. 250, 254
10 (S.D.W. Va. 1995).

12 District courts have “broad discretion to manage discovery and to control the course of
13 litigation under Federal Rule of Civil Procedure 16.” *Hunt v. Cnty of Orange*, 672 F.3d 6060,
14 616 (9th Cir. 2012). Modifications are allowed to prevent manifest injustice. *Id.*

15 There is good cause to extend the discovery deadlines. The Parties agree that an
16 extension will not prejudice either party.

17 Further, the Parties are in mutual agreement that settling this case is in the best interests
18 of all parties. To that end, Counsel for Plaintiffs and Defendants have, over the past month, sent
19 several settlements offers and counteroffers to one another.

21 The Parties are hopeful that they will be able to resolve all remaining issues in the
22 coming weeks and will work diligently to do so. Extending all current deadlines in this case will
23 allow the Parties to focus their efforts on finalizing a settlement in this matter, and thus, the
24 Parties believe that there is good cause to approve their request.

Should the Parties be unable to reach full agreement on the terms of a settlement by **July 26, 2021** they will submit a brief joint case management statement to the Court on that date regarding their proposed path forward.

In consideration of the above, The Parties respectfully request that the Court modify all still-pending deadlines in this case (last modified in this Court's December 7th, 2020 Order, ECF No. 27), as follows:

Event	Original Deadline	New Deadline
All motions related to discovery must be filed by	June 16, 2021	August 16, 2021
Deadline to Complete Discovery	July 6, 2021	September 7, 2021
Dispositive Motion Deadline	August 4, 2021	October 4, 2021
All motions <i>in limine</i> must be filed by	October 8, 2021	December 7, 2021
Agreed Pretrial Order due	October 15, 2021	December 14, 2021
Pretrial Conference	October 22, 2021 at 10:00 AM	December 21, 2021 at 10:00 AM
Trial briefs, proposed jury instructions, proposed voir dire, agreed neutral statement of the case, deposition designations, and trial exhibits due	October 22, 2021	December 21, 2021

Respectfully submitted this 28th day of May, 2021 by:

s/ Conrad Reynoldson
 Conrad Reynoldson
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s/ Marielle Maxwell
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Attorneys for Plaintiffs

JOINT STIPULATED MOTION TO EXTEND
 CURRENT DEADLINES; [PROPOSED]
 ORDER - 3

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NO. 3:19-cv-05889-RJB

**[PROPOSED] ORDER GRANTING
JOINT MOTION TO EXTEND
CURRENT DEADLINES**

16 THIS MATTER came before this Court upon Plaintiffs' Motion to Extend Case Deadlines.

17 Having reviewed the motion, being fully advised on the matter, and for good cause show, IT IS

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19 HEREBY ORDERED that the Motion to Extend Case Deadlines is GRANTED. The initial case
20 schedule is amended as follows:
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Event	Original Deadline	New Deadline
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Dated this ____ day of _____, 2021.

The Honorable Robert J. Bryan
United States District Judge

CERTIFICATE OF SERVICE

I, Marielle Maxwell, hereby certify under penalty of perjury under the laws of the State of Washington, that on the day set forth below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record for the defendant.

Signed at Seattle, Washington this 28th day of May, 2021.

s/Marielle Maxwell
Marielle Maxwell

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